

For: FFAS Employees and Non-Employees

Adhering to Federal Laws Prohibiting Marijuana Use

Approved by: Deputy Administrator for Management



1 Prohibiting Marijuana Use

A Background

A number of states and the District of Columbia have legalized the use of marijuana, allowing it to be used for limited recreational use and medicinal purposes.

On October 25, 2014, the Director of National Intelligence, James R. Clapper, signed memorandum ES 2014-00674, providing guidance regarding federal laws prohibiting marijuana use.

The Department of Justice has issued guidance making it clear that no state can authorize violation of federal law, including violations of the Controlled Substances Act, which identifies marijuana as a Schedule 1 controlled drug. All FFAS employees are prohibited from using marijuana and must continually adhere to the Office of Personnel Management suitability and national security standards. When determining whether criminal activity exists as part of a suitability or security determination, the definition of illegal use of a controlled substance follows federal law, not individual state or municipality laws. **Any** marijuana use will be considered to be a criminal activity.

B Purpose

This notice provides guidelines for:

- federal, county, and non-employee use of marijuana in locations where legalized; and
- required employee and non-employee continued adherence to federal laws regarding marijuana use as a criminal activity.

Note: The term “non-employee” includes but is not limited to contract employees, unpaid interns, and volunteers.

Disposal Date	Distribution
March 1, 2016	All FFAS employees and non-employees; State Offices relay to County Offices

Notice SEM-49

1 Prohibiting Marijuana Use (Continued)

C Contact

For questions regarding this notice, contact Robert Haughton, EPD Director, by either of the following:

- e-mail to **robert.haughton@wdc.usda.gov**, or
- telephone at 202-720-0135.

D Employee Action

Although some locations of the United States have legalized the use of marijuana for specific purposes, all FFAS federal, county, and non-employees are prohibited from using marijuana.